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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,697	03/10/2004	Rajendra A. Bopardikar	42P18003	6164
8791 7590 07/24/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
BATURAY, ALICIA				
ART UNIT		PAPER NUMBER		
2146				
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07/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/798,697

Applicant(s)

BOPARDIKAR ET AL.

Examiner

Alicia Baturay

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the amendment filed 22 April 2008.
2. Claims 1 and 15 were amended.
3. Claims 6-14, 19 and 20 were cancelled.
4. Claims 1-5 and 15-18 are pending in this Office Action.

Response to Arguments

5. The objections to the specification regarding minor informalities were addressed and are withdrawn.
6. The objection to claim 1 regarding minor informalities was addressed and is withdrawn.
7. The rejection of claims 6, 7, 9 and 11-14 under 35 USC § 101 is moot due to cancellation of aforementioned claims.
8. The rejection is respectfully maintained as set forth in the last Office Action mailed on 22 January 2008. Applicant's arguments with respect to claims 1-5 and 15-18 have been fully considered but they are not persuasive and the old rejection maintained.
9. ***Applicant Argues:*** Ramaswamy does not appear to explicitly disclose transcoding before the file is requested.

In Response: The examiner respectfully submits that Ramaswamy teaches wherein the media signals are converted by the discoverable home network transcoder server (the decoded video and audio streams may subsequently be transmitted to the transcoder for

transcoding in accordance with the blocks 56-62 of the method 50 shown in Fig. 4) before the media signals are requested by any of the more than one media renderers (After the transcoding has been performed, the transcoder may be adapted to yield a streaming media signal that...may instead be stored in the memory of the server for consumption at a later time – see Ramaswamy, Fig. 4; pages 5-6, paragraph 34). This renders the rejection proper, and thus the rejection stands.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-5 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramaswamy et al. (U.S. 2006/0242325).
12. With respect to claim 1, Ramaswamy teaches an article comprising:
- A storage medium comprising machine-readable instructions stored thereon to execute a discoverable home network transcoder server (Ramaswamy, Fig. 1, reference numeral 22; page 2, paragraph 15) to communicatively couple to a media server to receive media signals from the media server (Ramaswamy, Fig. 1, reference numeral 24; page 2, paragraph 16), to

convert the media signals to a format compatible with more than one media renderers, and to transmit the converted signals to the more than one media renderers (Ramaswamy, page 3, paragraph 24), wherein the media signals are converted by the discoverable home network transcoder server before the media signals are requested by any of the more than one media renderers (Ramaswamy, Fig. 4; pages 5-6, paragraph 34).

13. With respect to claim 2, Ramaswamy teaches the invention described in claim 1, including the article wherein the more than one media renderers comprise media renderers selected from the group consisting of a speaker, a video display, a video display/speaker combination, a flat panel monitor, a liquid crystal display screen, an audio speaker, a plasma screen television display, and a high definition television display (Ramaswamy, page 1, paragraph 13).
14. With respect to claim 3, Ramaswamy teaches the invention described in claim 1, including the article wherein the discoverable home network transcoder server further comprises a transrating module (Ramaswamy, page 4, paragraph 27; Fig. 5A, reference numerals 90 and 92 and Fig. 5B, reference numerals 120 and 122; page 4, paragraphs 29-30).
15. With respect to claim 4, Ramaswamy teaches the invention described in claim 1, including the article wherein the discoverable home network transcoder server comprises a software module to execute on the media server (Ramaswamy, Fig. 1, reference numeral 24; page 2, paragraph 16 and page 5, paragraph 34).

16. With respect to claim 5, Ramaswamy teaches the invention described in claim 4, including the article wherein the software module further comprises a transrating module (Ramaswamy, page 4, paragraph 27; Fig. 5A, reference numerals 90 and 92 and Fig. 5B, reference numerals 120 and 122; page 4, paragraphs 29-30).

17. With respect to claim 15, Ramaswamy teaches a method comprising:

Incorporating a home network media renderer by a client of a home network, the client being a module in a web browser having a network application program that supports a first media file format for the home network media renderer (Ramaswamy, page 4, paragraph 26); encoding the home network media renderer in the first media file format to support media files of the first media file format (Ramaswamy, page 4, paragraph 28); converting a media file to a second media file format before receiving a request for the media file (Ramaswamy, Fig. 4; pages 5-6, paragraph 34); requesting from a media server with the network application program of the client the media file in the second media file format (Ramaswamy, page 4, paragraph 26); and recognizing with a discoverable home network transcoder server that the media file is of the second media file format and converting the home network media renderer of the network application program to the second media file format prior to providing the media file to the web browser module of the client (Ramaswamy, page 4, paragraph 27).

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18. With respect to claim 16, Ramaswamy teaches the invention described in claim 15, including the method wherein the client comprises a graphical user interface to contact the media server (Ramaswamy, page 4, paragraph 26).
19. With respect to claim 17, Ramaswamy teaches the invention described in claim 15, including the method wherein said incorporating the home network media renderer by the client comprises providing a list of available media renderers and selecting the home network media renderer from the list of available media renderers (Ramaswamy, page 4, paragraph 28).
20. With respect to claim 18, Ramaswamy teaches the invention described in claim 17, including the method further comprising converting the selected home network media renderer to recognize the first media file format prior to passing the home network media renderer to the client (Ramaswamy, page 4, paragraph 27).

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Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
July 27, 2008

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2146